

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1006 be amended to read as follows:

- 1 Page 58, between lines 3 and 4, begin a new paragraph and insert:
- 2 "SECTION 66. IC 36-1-3-8 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JANUARY 1, 2002]: Sec. 8. (a) Subject to
- 4 subsection (b), a unit does not have the following:
- 5 (1) The power to condition or limit its civil liability, except as
- 6 expressly granted by statute.
- 7 (2) The power to prescribe the law governing civil actions
- 8 between private persons.
- 9 (3) The power to impose duties on another political subdivision,
- 10 except as expressly granted by statute.
- 11 ~~(4) The power to impose a tax, except as expressly granted by~~
- 12 ~~statute.~~
- 13 ~~(5) (4) The power to impose a license fee greater than that~~
- 14 ~~reasonably related to the administrative cost of exercising a~~
- 15 ~~regulatory power.~~
- 16 ~~(6) (5) The power to impose a service charge or user fee greater~~
- 17 ~~than that reasonably related to reasonable and just rates and~~
- 18 ~~charges for services.~~
- 19 ~~(7) (6) The power to regulate conduct that is regulated by a state~~
- 20 ~~agency, except as expressly granted by statute.~~
- 21 ~~(8) (7) The power to prescribe a penalty for conduct constituting~~
- 22 ~~a crime or infraction under statute.~~
- 23 ~~(9) (8) The power to prescribe a penalty of imprisonment for an~~
- 24 ~~ordinance violation.~~

~~(+)~~ (9) The power to prescribe a penalty of a fine as follows:

(A) More than ten thousand dollars (\$10,000) for the violation of an ordinance or a regulation concerning air emissions adopted by a county that has received approval to establish an air program under IC 13-17-12-6.

(B) More than two thousand five hundred dollars (\$2,500) for any other ordinance violation.

~~(+)~~ (10) The power to invest money, except as expressly granted by statute.

~~(+)~~ (11) The power to order or conduct an election, except as expressly granted by statute.

(b) A township does not have the following, except as expressly granted by statute:

(1) The power to require a license or impose a license fee.

(2) The power to impose a service charge or user fee.

(3) The power to prescribe a penalty.

SECTION 67. IC 36-1-3-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2002]: **Sec. 8.5. (a) Notwithstanding any other law, a unit may exercise the power to impose any tax imposed by the state before January 1, 2000.**

(b) Notwithstanding any other law, the following do not apply to a tax imposed by a unit:

(1) A maximum property tax rate.

(2) A maximum income tax rate.

(3) A maximum sales tax rate.

(4) A limitation on the growth of a property tax levy."

Page 58, between lines 33 and 34, begin a new paragraph and insert:
"SECTION 69. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2002] IC 6-1.1-18.5; IC 6-1.1-18 .6."

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 18, 2000.)

Representative Kruse